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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/901,162	07/09/2001	William R. Rehman	11694-04106	8708
27483	7590	07/01/2004	EXAMINER	
CALFEE, HALTER & GRISWOLD, LLP 800 SUPERIOR AVENUE SUITE 1400 CLEVELAND, OH 44114			KOCH, GEORGE R	
			ART UNIT	PAPER NUMBER
			1734	

DATE MAILED: 07/01/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/901,162	REHMAN ET AL.	
	Examiner	Art Unit	
	George R. Koch III	1734	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 41-43 and 56-62 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 41-43 and 56-62 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>9/23/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The claim objections have been lifted in view of the cancellation of those claims. Additionally, the claim rejections under 35 USC 112 2nd paragraph have been lifted. Additionally, the objections in regard to the statement of prior applications have been lifted in view of the preliminary amendment filed October 8th, 2002, a copy of which was included in the response.

Claim Rejections - 35 USC § 102

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claim 41, 42, 59 and 62 are rejected under 35 U.S.C. 102(b) as being anticipated by Myers (US 4,071,192).

As to claim 41, Myers discloses a tribo-electric powder gun having a component which includes a tribo-electric charging surface (barrel 23 and wall 24, see column 3, lines 38-45, which discloses that the wall 24 performs the frictional charging), the component being capable of assembly into the gun in at least two different positional orientations (via adjustable clearance 30, adjustable via screw connection 26 - see column 3, lines 6-19). Such positions results in the capably of the wear surface having first portions that are exposed to more powder impact than other portions, and the rotation of the screw connection results in the exposing of other portions of the wear

surface to powder impact that are different portions from the first portions of the wear surface.

As to claim 42, the component (item 23 and 24) is rotated into end cap 20. Thus, Myers discloses at least a first positional orientation and a second positional orientation.

As to claim 59, see the rejection of claim 41 above. The powder coating system component is item 20, and the barrel 23 is the wear component which has a first portion, such as the bottom inner surface, which is exposed to more powder impact than other portions thereof, and the screw connection is the structure that allows the capability of assembly into the system component (item 20) in at least two different positional orientations to expose other portions of the wear surface to powder impact that are different from the first portions.

As to claim 62, see the rejection of claim 41 above. The gun (item 10), includes a barrel 23, the inner surface of which (item 24) is the triboelectric charging surface, this triboelectric charging surface having a first portion, such as the bottom inner surface, which is exposed to more powder impact than other portions thereof, and the screw connection is the structure that allows the capability of the charging component being assembled into the gun in at least two different positional orientations to expose other portions of the charging surface to powder impact that are different from the first portions.

4. Claim 41-43 and 56-62 are rejected under 35 U.S.C. 102(b) as being anticipated by Haller (US Patent 5,402,940)

As to claim 41, Haller discloses a tribo-electric powder gun having a component which includes a tribo-electric charging surface (inner wear sleeve 38 - see Figure 4, see column 7, lines 51-62), the component being capable of assembly into the gun in at least two different positional orientations (by being reversible - see line 57). Such reversible positions results in the capably of the wear surface having first portions that are exposed to more powder impact than other portions, and the reversing of the sleeve results in the exposing of other portions of the wear surface to powder impact that are different portions from the first portions of the wear surface.

As to claim 42, the sleeve is reversible. Thus, Haller discloses at least a first positional orientation and a second positional orientation. Furthermore, the sleeve is symmetrically - so the sleeve 38 is capable of also being rotated.

As to claim 43, Haller discloses that the sleeve is reversible (column 7, line 57), and thus the wear component when assembled into the gun is end to end reversible so that the wear component can be axially reversed to expose different portions of the wear surface to powder impact.

As to claim 56, Haller discloses that the wear component wear surface is axially reversible, since the sleeve is reversible.

As to claim 57, Haller discloses that the wear component comprises a charge sleeve (inner sleeve 38) having said charging surface therein, and a charge sleeve holder (annular recess 78).

As to claim 58, Haller discloses that the charge sleeve is reversible end to end (see column 7, line 57).

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As to claim 59, see the rejection of claim 41 above. The powder coating system component is item 15, and the sleeve 38 is the wear component which has a first portion, such as the front end surface, which is exposed to more powder impact than other portions thereof, and the reversibility of this structure allows the capability of assembly into the system component (item 15) in at least two different positional orientations to expose other portions of the wear surface to powder impact that are different from the first portions.

As to claim 60, Haller discloses that the wear component is an inner, i.e., charge sleeve of the triboelectric spray gun having a charging surface therein, and an annular recess (item 78) which functions as the charge sleeve holder.

As to claim 61, Haller discloses that the charge sleeve is reversible end to end (see column 7). Furthermore, the sleeve is symmetrical, and is capable of being installed in the charge sleeve holder (annular recess 78) in at least two different angular orientations.

As to claim 62, see the rejection of claim 41 above. The gun (item 10), includes a barrel 23, the inner surface of which (item 24) is the triboelectric charging surface, this triboelectric charging surface having a first portion, such as the bottom inner surface, which is exposed to more powder impact than other portions thereof, and the screw connection is the structure that allows the capability of the charging component being assembled into the gun in at least two different positional orientations to expose other portions of the charging surface to powder impact that are different from the first portions.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George R. Koch III whose telephone number is (571) 272-1230. The examiner can normally be reached on M-Th 10-7.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (571) 272-1226. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



GRK
June 24th, 2004

George R. Koch III
Patent Examiner
Art Unit 1734



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